

Rec PCT/PTO 08 APR 2002

PATENT #6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
 ) Group Art Unit: TBA  
Progulske-Fox )  
 ) Examiner: TBA  
Serial No. 09/980,845 )  
 ) Atty. Dckt. No.: 00-505-B  
International Filing Date: Aug. 4, 2000 )  
 ) Intl. Appl. No.: PCT/US00/2130  
Priority Date: Aug. 6, 1999 )

For: MICROBIAL POLYNUCLEOTIDES EXPRESSED DURING INFECTION OF A HOST

RESPONSE TO NOTICE TO FILE MISSING PARTS

Box Missing Parts  
Assistant Commissioner of Patents  
Washington, D.C. 20231

Dear Sir:

The attached executed declaration is submitted in response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office mailed on February 28, 2002, in the above-mentioned case. Also enclosed is a paper copy of the sequence listing, a diskette containing the sequence listing and Statement Under 37 C.F.R. §1.821. A check for sixty-five dollars (\$65) for an oath or declaration surcharge is enclosed. It is believed that no further fee is due to make this filing complete; however, if a fee or

Adjustment date: 05/13/2002 BEAM/DEL  
04/12/2002 UEDUVIJE 00000090 09980845  
01 FC:254 -65.00 OP

Date: 3/27/02

Respectfully submitted,

By:   
Lisa M. W. Hillman  
Registration No.: 43,673

04/12/2002 UEDUVIJE 00000090 09980845  
01 FC:254 65.00 OP

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CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner of Patents, Washington D.C. 20231, on 3/27/02

Date: 3/27/02

Lisa M. W. Hillman

Repl'n. Ref: 05/13/2002 BEAM/DEL 0016280700  
Date: 04/12/2002 Name/Reg: UEDUVIJE 00000090 09980845  
FC: 704

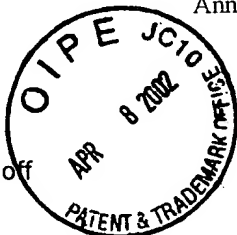


## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PGI  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/980,845	Ann Progulske-Fox	00-505-B

Lisa M.W. Hillman  
McDonnell Boehnen Hulbert & Berghoff  
300 S Wacker Drive Suite 3200  
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INTERNATIONAL APPLICATION NO.	
PCT/US00/21340	
I.A. FILING DATE	PRIORITY DATE
08/04/2000	08/06/1999

CONFIRMATION NO. 3701

371 FORMALITIES LETTER



\*OC000000007521267\*

Date Mailed: 02/28/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Biochemical Sequence Listing
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Request for Immediate Examination
- Small Entity Statement

DOCKETED

MAR 08 2002  
DUE DATE: 4/28/02  
BY: K.B. CB

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

• The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- APPLICANT MUST PROVIDE:
  - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
  - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

• For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 305-3736

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/980,845	PCT/US00/21340	00-505-B